

**Testimony of James H. Shelton, III**  
**Assistant Deputy Secretary for Innovation and Improvement,**  
**U.S. Department of Education**  
**Before the House Committee on Education and Labor**  
**Hearing on Building on What Works at Charter Schools**

Good morning Chairman Miller, Ranking Member McKeon and distinguished members of the Committee. Thank you for the opportunity to appear before you today to discuss the topic of Building on What Works at Charter Schools. Improving our education system is one of this Administration's highest priorities. Our goal is to improve education at every level for all students. This must include improving the quality of traditional public schools and public charter schools, which I will discuss today. I am pleased to provide an overview of the Department of Education's policies on charter schools and to highlight successful charter programs across the nation.

**Charter Schools: An Overview**

Improving our education system by expanding high-quality public charter schools is one of this Administration's highest priorities. Charter schools continue to expand across the nation, bringing innovation and change to countless communities and helping to eliminate the achievement gap. Charter schools have inspired a new kind of entrepreneurial leadership to address some of our nation's most perplexing and historical educational failures. Their innovative, flexible, and results-based operations have demonstrated success in some of our most challenging and compromised school districts. The best charter schools have proven that regardless of a student's race, native language, or socioeconomic status, children can achieve academic success when given a quality education.

Forty states, the District of Columbia, and Guam have enacted charter school laws, enabling the creation of over 4600 schools today that serve over 1.4 millions students.<sup>i</sup> Over 60 percent of these students are minority and over 50 percent are eligible for free and reduced lunch. These schools are serving 3 percent of public school students nationally, with charter schools in New Orleans, Washington DC, Southfield MI, Dayton OH, and Kansas City MO serving over 20 percent of the public school students in their communities.<sup>ii</sup>

Baseline data, collected through the Department's *EDFacts* system, show that during the 2006-07 school years approximately 63 percent of fourth-grade charter school students were achieving at or above proficient on State assessments in reading/language arts and 62 percent at or above proficient on State assessments in mathematics. The percentage of eighth-grade students proficient in either subject was lower, with approximately 61 percent achieving at or above proficient on State assessments in reading/language arts and only 50 percent at or above proficient on State assessments in mathematics.<sup>iii</sup>

## Charter Schools: Success and Barriers

Charter school achievement continues to be mixed but improving. Studies suggest that charter schools with more experience provide added value when compared to some traditional public schools and that charter schools serving at-risk students can be effective in improving academic achievement. Studies incorporating longitudinal student-level data and rigorous research methodology are increasing, and contributing to our understanding of the impact charter schools are making on student performance. Examples of significant results in key chartering states and cities are that:

- According to a recent evaluation conducted by the RAND Corporation, charter high schools in Florida and in Chicago have shown substantial positive effects on both high school completion and college attendance. Their students have higher graduation rates and their graduates have higher rates of college attendance as compared to their peers in traditional public schools.<sup>iv</sup>
- Similarly, a 2009 study by the Boston Foundation showed that when compared to students enrolled in traditional schools, charter school students in Boston are making significant gains.<sup>v</sup>
- 2009 data collected through the Department's *EDFacts* system reports proficiency rates on State assessments for students enrolled in charter schools in Idaho, Colorado and Tennessee that were higher than those for students in traditional schools in their respective states in reading and mathematics.<sup>vi</sup>

Charter school networks that are making significant gains in some of our nation's most educationally disadvantaged neighborhoods include Uncommon Schools (NJ and NY), Achievement First (CT and NY) and Harlem Village Academies (NY). These networks of charter schools are succeeding in narrowing the achievement gap and preparing low-income students not only to attend college, but to graduate from college. These charter networks, based on strong models of educational success and increased capacity for planning and implementing successful charter schools, are developing and managing systems of geographically linked schools that are held to high standards.

However, we have continued to fail our students by not taking action and closing the worst-performing schools. While it's estimated by the Center for Education Reform that nearly 14 percent of the 657 charter schools that have closed since the 1992 were closed because of poor academics, over 41 percent closed due to the lack of equitable financing.<sup>vii</sup> States and charter authorizers must take seriously their roles in approving, funding, rigorously reviewing, assessing, and revoking the charters of those schools that cannot demonstrate academic growth.

## **Charter Schools: A Critical Strategy**

We believe charter schools will play two essential roles in the development and implementation of education reforms that address the widest points of the achievement gap: transforming persistently failing schools and leading our nation's thinking on education innovation and what works. Charter schools will be a critical strategy for transforming persistently failing schools. Examples such as Green Dot, KIPP and Mastery Charter Schools are nationally recognized and growing networks of college preparatory elementary, middle and high schools that are not only improving student academics and graduation rates from high school, but also increasing college enrollment.

A growing entrepreneurial spirit is leading the charge and meeting the challenge to make a lasting change in the classroom. States are being called upon to reduce the barriers to innovation that further inhibit a student from receiving a high-quality education. States must remove arbitrary caps that have limited the replication and expansion of some of our nation's highest-performing charter schools and charter school networks. They must also ensure accountability and make tough decisions to close charter schools that are not working.

### **Charter Schools: This Administration's Commitment:**

For 2010, the Administration requests \$268.031 million for the Charter Schools Program, an increase of \$52 million, over the 2009 level. The request would provide increased support for planning and start-up of new high-quality charter schools, a key element of the Administration's strategy to promote successful models of school reform. This sizeable increase is the Administration's first major step toward fulfilling its commitment to double support for charter schools over the next 4 years.

With support from the program, the number of charter schools nationally has increased dramatically from approximately 100 in operation in 1994 to over 4,600 today. Since 2001 over 2,400 charter schools have received assistance under this program.<sup>viii</sup> Funding for this program provides new schools with necessary, but often difficult to acquire, start-up funds and assists in making the most successful models for charter schools available for replication throughout the country.

At the 2010 request level, the Department would continue to provide grants to State Educational Agencies to support planning, development, and initial implementation activities for approximately 1,200 to 1,400 charter schools, as well as fund dissemination activities by schools with a demonstrated history of success. Further, in order to supplement the efforts of States and local developers in creating charter schools, we are requesting appropriations language that would allow the Secretary to make competitive grants to charter management organizations and other entities for the replication of successful charter school models. This policy would give us some needed additional authority to direct funds to organizations that are the best equipped to bring about the expansion of the most effective models.

The Department would also use the available waiver authority to strengthen the capacity of the program to support the growth of charter schools in a variety of situations and contexts. For example, current law limits a charter school to a single planning and implementation grant and a single dissemination grant. This limitation is generally appropriate, as Federal funding should not typically pay for multiple planning periods or provide long-term support of a charter school. However, this limitation can inhibit the growth of charter schools that need external assistance in order to expand (for example, a charter middle school that wants to extend to the high school grades).

Similarly, current law limits assistance to a charter school to not more than 18 months for planning and program design and not more than 2 years for implementation or dissemination. This prescribed planning period can, for some grantees, limit their ability to develop well-articulated, comprehensive program designs that help guide the successful implementation of a new school. The Department would address this limitation by waiving, in appropriate circumstances, the 18-month planning limitation and allowing grantees additional time within the 36-month grant period for planning and implementation.

The Administration's FY 2010 budget request would continue support for evaluation, technical assistance, and dissemination of model charter programs and charter school laws.

In closing, let me once again thank the Committee for inviting me to appear today. I look forward to continuing to work with the Committee on these and other important issues.

---

<sup>i</sup> 2009 *National Charter School Data*, Center for Education Reform, Washington, DC

<sup>ii</sup> 2008 *Dashboard*, National Alliance for Public Charter Schools, Washington, DC

<sup>iii</sup> Flaherty, John, Nakamoto, Jonathan, Salaam, Khadijah. (2008). *Report on the Charter Schools Program (CSP) Data Collection Project: An Analysis of the CSP Grantee Award and Performance Data*. WestED, Contract No. ED-04-CO-0060/0001 Task Order 3.

<sup>iv</sup> Booker, Kevin, Tim R. Sass, Brian Gill, & Ron Zimmer. (2008). *Going beyond test scores: Evaluating charter school impact on educational attainment in Chicago and Florida* (WR-610-BMG). Santa Monica, CA: RAND.

<sup>v</sup> Abdulkadiroglu, Atila, Josh Angrist, Sarah Cohodes, Susan Dynarski, Jon Fullerton, Thomas Kane, and Parag Pathak. (2009). *Informing the debate: Comparing Boston's charter, pilot and traditional schools*. Boston, MA: The Boston Foundation

<sup>vi</sup> U.S. Department of Education EDFacts and 2007-08 CSP Data Collection Template

<sup>vii</sup> Allen, Jeanne, Consoletti, Allison, Kerwin, Kara. (2009). *2009 Accountability Report: Charter Schools*. The Center for Education Reform, Washington, DC

<sup>viii</sup> U.S. Department of Education EDFacts and 2007-08 CSP Data Collection Template